

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

STUART PIVAR,

Plaintiff,

vs.

THE VAN GOGH MUSEUM,

Defendant

Civil Action No.

NOTICE OF REMOVAL

Please take notice that the defendant, The Van Gogh Museum Foundation (the “Museum”), named in the Complaint as “The Van Gogh Museum,” removes this action, now pending in the New York Supreme Court for New York County, and assigned index number 159595/2021, to this Court. In support of this Notice of Removal, the Museum states as follows:

A. Citizenship of the Parties.

1. The plaintiff, Stuart Pivar (“Pivar”), resides and on information and belief is domiciled at 15 W. 67th St., New York, NY, and is a citizen of the State of New York.

2. The Museum is a foundation incorporated under the law of the Netherlands with its principal place of business at Museumplein 6, Amsterdam, the Netherlands. It is deemed to be a citizen of the Netherlands. *See* 28 U.S.C. § 1332(c)(1).

B. Amount in Controversy.

3. Pivar alleges (at ¶¶ 19 and 27 of the Complaint) that he has been damaged in an amount exceeding \$300 million. In the Complaint’s ad damnum, he demands judgment for damages in an amount exceeding \$300 million.

C. Grounds for Removal

4. This action is between a citizen of a state and a citizen of a foreign state, and the amount in controversy exceeds \$75,000. Thus, the action is within the Court's original jurisdiction. *See* 28 U.S.C. § 1332(a)(2).

5. The Museum was served with the summons and complaint on November 2, 2021. Removal is timely. *See* 28 U.S.C. § 1446(b)(1).


6. The action is removable under 28 U.S.C. § 1441(a).

7. A copy of all process, pleadings, and orders served upon the Museum is attached to this Notice as Exhibit 1.

Dated: November 12, 2021

Respectfully submitted,

STONE LAW GROUP PLLC

By: 
Ralph M. Stone (RS-4488)

1700 Broadway, 41st Floor
New York, NY 10019
(212) 239-1550
Email: rs@stonepllc.com

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Theodore J. Folkman (pro hac vice forthcoming)
FOLKMAN LLC
53 State St., Suite 500
Boston, MA 02109
Tel. (617) 219-9664
Fax (857) 336-0206
Email: ted@folkman.law

Attorneys for the Defendant